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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,707	11/21/2003	Noriko Minamino	05225.0253	8855
22852	7590	07/24/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			CHANNAVAJJALA, SRIRAMA T	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/717,707	MINAMINO ET AL.
Examiner	Art Unit	
Srirama Channavajjala	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 08 May 2007.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-22 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_\_  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_ 5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_

**DETAILED ACTION**

**Response to RCE**

1. Claims 1-22 are presented for examination.
2. Claims 1,21,22 have been amended 5/8/07
3. Examiner acknowledges applicant's amendment filed on 10/18/2006.
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 May 2007 has been entered, Office action is as follows
5. Claims 1,3-5,7,14,21-22 have been amended [10/18/2006]

***Priority***

6. Acknowledgment is made of applicant's claim for foreign priority based on Application SI.No2002-340041 filed on 22 November 2002 under 35 U.S.C. 119(a)-(d), the certified copy has been filed in the Application No. 10/717707, filed on 11/21/2003.

***Double Patenting***

7. In view of applicant's filed "terminal disclaimer" approved on 11/2/2006, the double patent rejection as set forth in the previous office action is hereby withdrawn.

***35 USC § 101***

8. In view of applicant's amendment to the claims 1,3-5,7,14,21-22, the rejection under 35 USC § 101 as set forth in the previous office action is hereby withdrawn,

***Information Disclosure Statement***

9. The information disclosure statement filed on **10/18/2006** is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy is enclosed with this Office Action.

10. The information disclosure statement filed on **08/12/2004** is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy was enclosed with previous Office Action mailed on 7/18/2006.

11. The information disclosure statement filed on **11/21/2003** is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy was enclosed with previous Office Action.

***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. *Claims 1-22, are rejected under 35 U.S.C. 102(b) as being anticipated by Lowry, US Patent No. 5953724, published on Sept 14,1999.*

14. As to claim 1, 21-22, Lowry teaches a system which including 'an apparatus for displaying a hierarchical structure [fig 2A, col 4, line 48-54], displaying a hierarchical structure corresponds to Lowry's fig 2A;

a memory configured to hierarchically store a database [fig 1, element 26], for a plurality of classes having a property, the property of a parent class in the plurality of classes being inherited to a child class belong to the parent class [fig 2A, col 4, line 57-67, col 5, line 2-12, 46-48, col 14, line 61-62, col 15, line 11-17, line 50-57, fig 5A];

Lowry is directed to database structure, more specifically arranging nodes in a hierarchical structure having parent-child, relationship as detailed in fig 2A, hierarchical structure corresponds to Lowry's fig 2A; it is further noted that Lowry specifically teaches "node properties table" that including information about each node in the hierarchical relationship as detailed in table 4, therefore, node property whether parent node or child node is integral part of Lowery's teaching., further each node may be an

object belongs to specific class[es], because, Lowry suggests chart is built using basic "graphic objects" [col 14, line 61-62], standard objects provided with languages such as Visual C++, Visual Basic and like [see col 14, line 63-64], therefore, inheritance is the concept that when a class of object is defined, any subclass that is defined can inherit the definitions of one or more classes, hence, property of one class in the plurality of classes being inherited to a child class belong to the one class corresponds to Lowry's fig 5A;

a display configured to output a 'first area of the parent class and a second area of the child class, the first area including the second area' [col 5, line 66-67, col 6, line 39-43, col 7, line 19-28, co 10, line 15-31], Lowry specifically teaches multiple related hierarchical structure in which specific nodes establishes relationship between other nodes as parent-child relationship, further each node regarded as specific parent class and specific child class as detailed in [col 6, line 39-43, col 7, line 19-28, , col 10, line 15-31], it is noted that Lowry specifically suggests each class or category of entity are defined in a hierarchical structure for example organizations, people, locations as detailed in col 10, line 15-22;

'indicate an inclusion relationship between the parent class and the child class"  
[col 5, line 48-52, line 61-62, , line 66-67], Lowry specifically teaches displaying not only hierarchical graphical structure", but also clearly displaying multiple nodes and heir hierarchical relationships particularly, node 1, node 9 is a parent and other nodes are child nodes as detailed in fig 2A;

'an operation unit configured to select the first area or the second area on said display' [[fig 7A, col 12, line 10-14], Lowry specifically teaches number of fields displayed in a specific area[s], for example code may be displayed in a code box element 148 corresponds to first area, while association selection box corresponds to second area on the display, this allows users to select first area i.e., code or association selection box element 146;

'wherein, when said operation unit selects the second area, said display outputs a list of properties of the child class, the list including the property of the parent class' [col 15, line 62-67, col 16, line 1-6], Lowry specifically suggests node properties with respect to key fields in the chart level, also node properties including height of the box, vertical gap, width of the box and like as detailed in col 16, line 1-6.

15. As to claim 2, Lowry disclosed 'display outputs all of the first area including all of the second area' [fig 2A-2B].

16. As to claim 3, Lowry disclosed 'display outputs class information related to the one class or the at least one child class or the child in response to a selection from said operation unit' [col 4, line 61-63]..

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17. As to claim 4, Lowry disclosed 'display outputs a list of properties of the one class when said operation unit selects the first area [col 6, table 1, line 38-41], table 1 specifically suggests list of different class properties including property type, functions.

18. As to the claim 5, Lowry disclosed 'display outputs property information related to one property in the list of properties when said operation unit selects the one property from the list of properties' [table 1-2, col 9, line 28-36].

19. As to claim 6, Lowry disclosed 'display outputs a mark in correspondence with each class of the first area and the second area, and wherein the mark represents that a corresponding class hierarchically includes a child class' [fig 2A-2B, col 9, line 41-48].

20. As to claim 7, Lowry disclosed 'an operation unit configured to indicate whether an area of the child class is displayed in an area of the corresponding class' [fig 2A-2B].

21. As to claim 8, Lowry disclosed 'a status of the mark of the corresponding class of which the area of the child class is displayed is different from a status of the mark of the corresponding class of which the area of the child class is not displayed' [fig 2A-2B, col 9, line 49-58].

22. As to claim 9, Lowry disclosed 'a status of the mark of the corresponding class of which the child class has an instance is different from a status of the mark of the corresponding class of which the child class does not have an instance' [fig 5A, 2A, col 7, line 48-58].

23. As to claim 10, Lowry disclosed 'display outputs another mark in corresponding with the child class which has the instance' [col 8, line 28-33].

24. As to claim 11, Lowry disclosed 'operation unit selects a class to display direct classes from the plurality of classes, and wherein said display outputs the direct classes to which the class belongs' [col 8, line 38-45].

25. As to claim 12, Lowry disclosed operation unit sets a universal root class commonly including a first hierarchical structure derived from a first root class and a second hierarchical structure derived from a second root class' [fig 2A-2B], Lowry specifically suggests hierarchical structure and hierarchical relationships as detailed in fig 2A-2B..

26. As to claims 13-14, Lowry disclosed 'operation unit sets a retrieval start point to the one class of the first area on said display, and wherein a retrieval object is limited to the child class having the instance' [col 9, line 15-21, fig 2A-2B].

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27. As to claim 15, Lowry disclosed 'the child class inherits at least one property of each of a plurality of parent classes in the plurality of classes stored in said memory' [table 1-2, col 9, line 28-36].

28. As to claim 16-17, Lowry disclosed 'a display status of the child class inheriting at least one property of each of the plurality of parent classes is different from a display status of another child class not inheriting at least one property of each of the plurality of parent classes' [col 15, line 42-53].

29.

30. As to claim 18, Lowry disclosed 'a color of a property in the list of properties of the child class as an inheritance destination class is the same as a color of the parent class having the property as the inheritance source class' [col 15, line 66-67, col 16, line 1-6]..

31. As to claim 19, Lowry disclosed 'operation unit sets a number of hierarchical levels for a plurality of classes at an initialization mode to display the hierarchical structure of the plurality of classes' [fig 2A-2B]..

32. As to claim 20, Lowry disclosed 'operation unit sets an identifier of each class to be expandible displayed in the plurality of classes at the initialization mode' [col 9, line 15-21].

***Response to Arguments***

33. Applicant's arguments filed on 5/8/2007 with respect to claims 1-22 have been fully considered but they are not persuasive, for examiners' response see the discussion below:

- a) At page 8, claim 1, applicant argues that "Lowry at least fails to teach the claimed "first area including the second area to indicate an inclusion relationship between [a] parent class and [a] child class"
- b) At page 8, claim 1, applicant argues that "neither the chart nor the graphical interface in Lowry uses a first area including a second area to indicate any sort of inclusion relationship"
- c) At page 9, claim 1, [second paragraph], applicant argues that "none of the cited portions, however, discloses the claimed "first area [of a parent class] including the second area [of a child class]."
- d) At page 10, claim 1, applicant argues that "there is no teaching in Lowry of displaying such areas within each other. Accordingly, Lowry fails to teach the claimed "first area" including a "second area"

As to the argument [a-d], examiner disagree with the applicant because, firstly, Lowry is directed to "hierarchical graphical listing of nodes", more specifically, providing dynamic hierarchical information using graphical user interface [see Abstract], secondly,

Lowry's hierarchical graphical information is arranged in a multiple "parent-child" relation as displayed in a different hierarchical levels [col 2, line 27-31], thirdly, Lowry specifically teaches hierarchical graphical lists allow retrieval of information from complex database record having multiple fields [col 2, line 50-52].

As noted Lowry specifically teaches "node properties table" that including information about each node in the hierarchical relationship as detailed in table 4, therefore, node property whether parent node or child node is integral part of Lowery's teaching., further each node may be an object belongs to specific class[es], because, Lowry suggests chart is built using basic "graphic objects" [col 14, line 61-62], standard objects provided with languages such as Visual C++, Visual Basic and like [see col 14, line 63-64], therefore, inheritance is the concept that when a class of object is defined, any subclass that is defined can inherit the definitions of one or more classes, hence, property of one class in the plurality of classes being inherited to a child class belong to the one class corresponds to Lowry's fig 5A; therefore, relationship between each node of Lowry's hierarchical structure forms first area including a second area because, the organizational structure [hierarchical ] node record[s] have entry for each level forms entities in the overall "hierarchical structure" [see col 2, line 54-60]

e) At page 9, claim 1, applicant argues that "the cited portion at col 6, lines 39-43 discloses "displaying particular file type, but does not disclose how the file type is displayed.

As to the argument [e], as best understood by the examiner, Lowry specifically teaches displaying hierarchical graphical information as shown in fig 2A, further, it is noted that user interface allows user to view/play actions selected file[s] particularly active node in a menu [col 6, line 39-43], therefore, graphical user interface allows users not only select menu items, but also allows navigate entire "hierarchical structure" to select required information or to create or update information and like.

Accordingly, examiner applies above arguments to claims 2-19 depend from claim 1

Therefore, Applicant's remarks are deemed not to be persuasive, and claims 1-22 stand rejected under 35 USC 102(b) as being clearly anticipated by Lowry

***Conclusion***

**The prior art made of record**

a. US Patent No. 5953724

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc  
Patent Examiner.  
July 19, 2007.

  
SRIRAMA CHANNAVAJJALA  
PRIMARY EXAMINER